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AUG 10 2005

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For The Northern Mariana Islands
By _____
(Deputy Clerk)

Attorney's for United States of America

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,

CIVIL CASE NO. 99-0013

Plaintiff,

vs.

**WRIT OF CONTINUING
GARNISHMENT; INSTRUCTIONS
TO THE GARNISHEE**

LORENZA A. MANGLONA
nka LORENZA M. MUNA,

Defendant,

MARIANAS PUBLIC LANDS
AUTHORITY,

Garnishee.

WRIT OF CONTINUING GARNISHMENT

GREETINGS TO: Marianas Public Lands Authority
Attn.: Payroll Section
P.O. Box 500380
Saipan, MP 96950

An application for a Writ of Continuing Garnishment against the property of Defendant-
Judgment Debtor LORENZA A. MANGLONA nka LORENZA M. MUNA, Social Security
Number [REDACTED], whose last known address is: P.O. Box 1002, Rota, MP 96951,
(hereinafter "Debtor"), has been filed with this Court. A judgment in a civil case was filed
against the Debtor on April 14, 1999 and the amount due totals \$6,170.94, as of August 1, 2005
(\$6,084.95 principal + \$85.99 int. to 8/8/05).

1 You are required by law to answer in writing, under oath, and within ten (10), after
2 receipt of this writ, the following information: (1) Whether or not you have in your custody,
3 control or possession, any property or money owned by the Debtor, including nonexempt,
4 disposable earnings; (2) A description of such property and the value of the property; (3) A
5 description of any previous garnishment to which such property is subject and the extent to
6 which any remaining property is not exempt; and (4) The amount of the debt you anticipate
7 owing to the Debtor in the future and whether the period for payment will be weekly or another
8 specified period.

9 **You are also required by law to withhold and retain any property or money of the**
10 **defendant you have in your custody, control or possession, including wages, salary or**
11 **commissions, or if you obtain custody, control or possession until you receive instructions**
12 **from the Court which will tell you what to do with the property and which will notify you**
13 **when this Writ is no longer in effect. The United States requests that the sum of 25% of**
14 **the defendant's monthly non-exempt disposable earnings be withheld from the defendant's**
15 **earnings.**

16 You must file the original written answer to this writ within ten (10) days of your receipt
17 of this writ with the United States District Clerk at: U.S. District Court for the NMI, 2nd Floor,
18 Horiguchi Building, Garapan, P.O. Box 500687, Saipan, MP 96950. YOU MUST ANSWER
19 THE WRIT EVEN IF YOU DO NOT HAVE IN YOUR CUSTODY, CONTROL OR
20 POSSESSION ANY PROPERTY OF THE DEFENDANT. Additionally, you are required by

21 law to serve a copy of this answer upon the debtor at: P.O. Box 1002, Rota, MP 96951 and
22 upon the United States Attorney at: U.S. Attorney's Office, Attn.: Marivic P. David, Assistant
23 U.S. Attorney, Sirena Plaza, Suite 500, 108 Hernan Cortez Avenue, Hagåtña, Guam 96910-5059

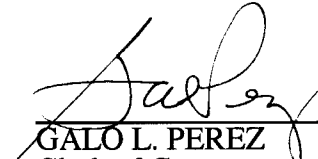
24 Under the law, there is property which is exempt from this writ of Garnishment. Property
25 which is exempt and which is not subject to this order is listed on the attached Claim for
26 Exemption form, which the debtor must sign and return if he is claiming any exemptions.

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1 If you fail to answer this writ or withhold property in accordance with this writ, the
2 United States of America may petition the Court for an order requiring you to appear before the
3 Court to answer the writ and to so withhold the property before the appearance date. If you fail
4 to appear or do appear and fail to show good cause why you failed to comply with this writ, the
5 Court may enter a judgment against you for the value of the Debtor's non-exempt interest in such
6 property (including nonexempt disposable earnings). The Court may also award a reasonable
7 attorney's fee to the United States and against you if the writ is not answered within the time
8 specified herein and if the United States files a petition requiring you to appear. **It is unlawful**
9 **to pay or deliver to the Debtor any item attached by this writ.**

10 DATED August 10, 2005, Saipan, MP.

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14 GALO L. PEREZ
15 Clerk of Court
16 District Court for the Northern
17 Mariana Islands
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AUG 10 2005

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Clerk
District Court
For The Northern Mariana Islands

1 TO: Marianas Public Lands Authority
2 Attn.: Payroll Section
3 P.O. Box 500380
4 Saipan, MP 96950

5 Please read the following instructions regarding the steps you must take to comply with
6 this Writ. For additional information, you may want to contact your attorney or the attorney for
7 the United States identified in Paragraph 6.

8 **INSTRUCTIONS TO THE GARNISHEE**

9 1. The name, last known address and Social Security Number of the person who is
10 the defendant in this action and whose property is subject to this Writ is:

11 LORENZA A. MANGLONA
12 nka LORENZA M. MUNA
13 P.O. Box 1002
14 Rota, MP 96951
15 SSN# [REDACTED]

16 2. This Writ has been issued at the request of the United States of America to
17 enforce the collection of a civil judgment entered in favor of the United States against the
18 defendant. The amount of the judgment as of August 1, 2005 is \$6,170.94 (\$6,084.95 principal +
19 \$85.99 int. to 8/8/05).

20 3. If you have in your custody, control or possession any property or money of the
21 defendant, including wages, salary or commissions, or if you obtain custody, control or
22 possession of such property while this Writ is in effect, you must immediately withhold the
23 property from the defendant and retain it in your possession until you receive instructions from
24 the Court which will tell you what to do with the property and which will notify you when this
25 Writ is no longer in effect. The United States requests that the sum of 25% of the defendant's
26 monthly non-exempt disposable earnings be withheld from the defendant's earnings.

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1 4. You are required to answer this Writ within 10 days after the service of the Writ
2 upon you. YOU MUST ANSWER THE WRIT EVEN IF YOU DO NOT HAVE IN YOUR
3 CUSTODY, CONTROL OR POSSESSION ANY PROPERTY OF THE DEFENDANT. Your
4 Answer must state, under oath, the following information:

- 5 a. whether you have custody, control or possession of money
6 or earnings of the defendant;
7 b. a description of the money or earnings and amount;
8 c. a description of any other garnishments, suggestions or
9 levies to which the earnings are subject and the extent to
10 which any remaining earnings are exempt from
11 garnishment, suggestion or levy;
12 d. the amount of any earnings you anticipate owing the
13 defendant in the future and the date on which payment will
14 be made; and
15 e. a description of any earnings you anticipate will come into
16 your custody, control or possession and the dates on which
17 such custody, control, or possession will occur.

18 5. After you complete the answer under oath, you must mail or deliver an answer
19 bearing the original signature plus one copy of the person preparing the answer to:

20 Clerk, United States District Court for the NMI
21 2nd Floor, Horiguchi Building
22 P.O. Box 500687
23 Saipan, MP 96950

24 At the same time you mail or deliver the answer to the Clerk, you must also mail or
25 deliver copies of the answer to:

26 MARIVIC P. DAVID
27 Assistant U.S. Attorney
28 U.S. Attorney' Office
 Attn.: Financial Litigation Unit
 Sirena Plaza, Suite 500
 108 Hernan Cortez Avenue
 Hagåtña, Guam 96910-5059

1 and

2 LORENZA A. MANGLONA
3 nka LORENZA M. MUNA
4 P.O. Box 1002
5 Rota, MP 96951

6 6. If you have any questions, you should contact your attorney. You may also
7 contact a representative of the United States at the following address and telephone number:

8 Marie Chenery
9 Financial Litigation Unit
10 Sirena Plaza, Suite 500
11 108 Hernan Cortez Avenue
Hagåtña, Guam 96910
(671) 472-7332, ext. 122
FAX: (671) 472-7215

12 7. IF YOU FAIL TO ANSWER THIS WRIT OR TO WITHHOLD PROPERTY IN
13 ACCORDANCE WITH THE WRIT, THE UNITED STATES MAY PETITION THE COURT
14 FOR AN ORDER REQUIRING YOU TO APPEAR BEFORE THE COURT TO ANSWER
15 THIS WRIT AND TO SO WITHHOLD PROPERTY BEFORE THE APPEARANCE DATE.

16 IF YOU FAIL TO APPEAR, OR YOU APPEAR AND FAIL TO SHOW GOOD
17 CAUSE WHY YOU FAILED TO COMPLY WITH THIS WRIT, THE COURT WILL ENTER
18 JUDGMENT AGAINST YOU FOR THE VALUE OF THE DEBTORS'S NONEXEMPT
19 INTEREST IN SUCH PROPERTY (INCLUDING NONEXEMPT DISPOSABLE EARNINGS).

20 THE COURT MAY ALSO AWARD A REASONABLE ATTORNEY'S FEE TO
21 THE UNITED STATES AND AGAINST YOU IF THE WRIT IS NOT ANSWERED WITHIN
22 THE TIME SPECIFIED HEREIN AND IF THE UNITED STATE FILES A PETITION
23 REQUIRING YOU TO APPEAR.

CLAIM FOR EXEMPTION FORMMAJOR EXEMPTIONS UNDER FEDERAL LAW

I claim that the exemption(s) from garnishment which are checked below apply in this case:

- ___ 1. Social Security benefits and Supplemental Security income (42 U.S.C. § 407).
- ___ 2. Veterans benefits (38 U.S.C. § 3101).
- ___ 2a. Members of armed services (10 U.S.C. § 1440, 38 U.S.C. § 562).
- ___ 3. Federal Civil Service Retirement benefits (5 U.S.C. § 8346 and 22 U.S.C. § 4060(c)).
- ___ 4. Annuities to survivors of federal judges (28 U.S.C. § 376(n)).
- ___ 5. Longshoremen and Harborworkers Compensation Act (33 U.S.C. § 916).
- ___ 6. Black lung benefits (30 U.S.C. §§ 931(b)(2)(F) and 932(a)).
- ___ 6a. Seaman's master's or fisherman's wages, except for child support or spousal support and maintenance (46 U.S.C.A. §§ 1108-1109(a-c)).

Exemptions listed under 1 through 6a above may not be applicable in child support and alimony cases (42 U.S.C. § 659).

- ___ 6b. Railroad retirement, pension, unemployment benefits (45 U.S.C. §§ 231(m), 352(e)).
- ___ 7. **Bankruptcy Code** (Title 11, United States Code) which generally provides exemptions for:

- ___ 7a. \$18,450.00 of equity in a residence.

<u>Address of Residence</u>	<u>Fair Market Value</u>	<u>Liens</u>	<u>Equity</u>
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____

- ___ 7b. \$2,950.00 of equity in a motor vehicle.

Property Claimed: _____
 Fair market Value \$ _____

- ___ 7c. \$1,225.00 in jewelry.

Property Claimed: _____
 Fair market Value \$ _____

- ___ 7d. \$9,850.00 in personal property. (However, no single item worth more than \$475.00 can be claimed as exempt.)

Property Claimed: _____
 Fair market Value \$ _____

- ___ 7e. Property totaling up to \$975.00, plus up to \$9,250.00 of any unused amount of the exemption provided in number 7(a) above.
- Property Claimed: _____
Fair market Value \$ _____
- ___ 7f. \$1,850.00 of equity in professional books, implements or tools, your trade or you dependent's trade.
- Property Claimed: _____
Fair market Value \$ _____
- ___ 7g. Any unmaturred life insurance contract you own, other than credit life insurance.
- Property Claimed: _____
Fair market Value \$ _____
- ___ 7h. The aggregate value, up to \$9,850.00, of any accrued dividend or interest under, or loan value of, any unmaturred life insurance contract you own, but only if you are the insured or you are a dependant of the insured.
- Property Claimed: _____
Fair market Value \$ _____
- ___ 7i. Professionally prescribed health aids for you or your dependants.
- Property Claimed: _____
Fair market Value \$ _____
- ___ 7j. Unemployment compensation benefits, local public assistance benefits, disability benefits, illness benefits; and alimony, support and separate maintenance, to the extent these items are reasonably necessary for your support or the support of your dependants.
- Property Claimed: _____
Fair market Value \$ _____
- ___ 7k. A payment under a stock bonus, pension, profit-sharing, annuity, or similar plan or contract on account of illness, disability, death, age or length of service, to the extent reasonably necessary for your support or the support of your dependants, subject to the limitations set forth at Title 11 United States Code Section 522(d)(10)(E)(i)-(iii).
- Property Claimed: _____
Fair market Value \$ _____

71. Your right to receive, or property that is traceable to,
- an award under a crime victim's reparation law;
 - a payment on account of the wrongful death of an individual of whom you were a dependant, but only to the extent of reasonably necessary for your support or the support of your dependants;
 - a payment under a life insurance contract that the insured an individual of whom you were a dependant on the date of the insured's death, but only to the extent reasonably necessary for your support or the support of your dependants;
 - a payment, not to exceed \$18,450.00, on account of personal bodily injury suffered by you or by an individual of whom you are a dependant; however, payment for pain and suffering or payment to compensate actual pecuniary loss are not exempt under this paragraph;
 - a payment in compensation of loss of your future earnings or the future earnings of an individual of whom you are, or were, a dependant, but only to the extent reasonably necessary for your support or the support of the your dependants.

Property Claimed: _____
 Fair market Value \$ _____

NOTE: If you have selected the Bankruptcy Code exemptions (Line 7 above), you may not also claim the exemptions listed below.

MAJOR EXEMPTIONS UNDER THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS LAW

NOTE: If you select the exemptions available under commonwealth law, the law of the commonwealth where you have been domiciled for the greater part of the last 180 days governs your rights.

Relevant provisions of the Commonwealth of the Marianas Code 7 N. Marianas Commonwealth Code Div. 4 § 4210 allow the following exemptions:

9. Debtor's Homestead

<u>Address of Residence</u>	<u>Fair Market Value</u>	<u>Liens</u>	<u>Equity</u>
_____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____

10. **Personal Property** - All necessary household furniture, cooking and eating utensils, and all necessary wearing apparel, bedding and provision for household use sufficient for four months.

Property Claimed:	Fair Market Value
_____	\$ _____
_____	\$ _____

11. **Necessities for Trade or Occupation** - All tools, implements, utensils, two work animals, and equipment necessary to enable the person against whom the attachment or execution is issued to carry on his or her usual occupation.

Property Claimed:	Fair Market Value
_____	\$ _____
_____	\$ _____

- ____ 12. **Land and interest in Land** - All interest in land, but any interest owned solely by a judgment debtor, in his or her own right, may be ordered sold or transferred under order in aid of judgment if the Court making the order deems that justice so requires and finds as a fact that after the sale or transfer, the debtor will have sufficient land remaining to support himself or herself and those persons directly dependent on the debtor according to recognized local custom and the law of the descent may acquire any interest to such land, by sale, transfer, or otherwise, except as otherwise provided by law. (8 TCC § 61 modified).

Amount Claimed: \$ _____

The statements made in this claim of entitlement to exemptions and the fair market value of the property designated are made and declared under penalty of perjury that they are true and correct.

Date

Signature of Defendant

Defendant's printed or typed name